

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NADINE MCKENZIE, individually; as parent,
legal guardian and natural guardian of Plaintiff's
decedent SHAMOYA MCKENZIE; and, as
Administratrix of the Estate of Plaintiff's
decedent SHAMOYA MCKENZIE,
Plaintiff,

v.

THE CITY OF MOUNT VERNON; EMPRESS
AMBULANCE SERVICES, INC.; DAVID
HARDY; MARQUIS COLLIER; JERMAINE
HUGHLEY; SINCERE SAVOY; and "JOHN
DOES" and "JANE DOES," names being
fictitious intended to be first responders, police,
police employees/personnel/officers of the City of
Mount Vernon, emergency medical service staff,
emergency medical service personnel,
administration, emergency medical service
administration personnel of the City of Mount
Vernon, The City of Mount Vernon Police
Department, and Empress Medical Services,
Defendants.

USDC SDNY
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ORDER OF DISMISSAL

18 CV 603 (VB)

The Court has been advised that plaintiff and defendant Empress Ambulance Services have settled this case. (Doc. #77). Accordingly, it is hereby ORDERED that this action is dismissed against defendant Empress Ambulance Services only, without costs, and without prejudice to the right to restore the action against Empress Ambulance Services to the Court's calendar, provided the application to restore the action is made by no later than May 5, 2022. To be clear, any application to restore the action must be filed by May 5, 2022, and any application to restore the action against Empress Ambulance Services filed thereafter may be denied solely on the basis that it is untimely.

The Clerk is instructed to terminate Empress Ambulance Services as a defendant in this case.

Dated: April 4, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge